

Mayor Ernie Wentrek
Mayor Pro Tem Paul Madison

Councilmembers
Jason Bienski
Russell Bradley
Mark Conlee
Ben Hardeman
Joe Marín

AGENDA

**BRYAN CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 24, 2005 – 4:30 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

- 1. CALL TO ORDER (Room 305)**
- 2. EXECUTIVE SESSION** - The City Council has determined a necessity to go into a closed to the public session under the provisions of Section 551, Texas Government Code, and the following topics may be discussed: under the authority of Section 551.071, consultation with attorney – seek advice of legal counsel regarding pending litigation, *Brazos Valley Coalition for Life, Inc., Donald Parsons, et al. v. City of Bryan, Texas*, in the U.S. District Court, Southern District of Texas, Houston Division; Fifth Circuit Appeal No. 04-20201; seek advice of legal counsel regarding *Karen Hall v. City of Bryan*; Cause No. 04-002226-CV-272; 272nd District Court, Brazos County; and seek legal advice regarding possible annexation of territory in the City's extra-territorial jurisdiction east and west of the current city limits; under the authority of Section 551.072, real estate – discuss acquisition of land in east Bryan for roadway improvement purposes and discussion of possible acquisition of property in west Bryan for expansion of the City's wastewater treatment system; and under the authority of Section 551.074, personnel matters – discuss the duties and responsibilities of City Manager.
- 3. OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION, IF NECESSARY (COUNCIL CHAMBERS)**
- 4. INVOCATION (Approximately 6:00 p.m. – Pastor Cecil Rice, Northview Baptist Church) AND PLEDGE OF ALLEGIANCE**
- 5. PROCLAMATIONS AND PRESENTATIONS**
 - Recognition of lifesaving action by Michael Wodrich, Bryan Firefighter/Paramedic
 - Presentation of U.S. Army Freedom Team Salute to Robert Madkins, Bryan Water Services
- 6. HEAR CITIZENS**

7. REZONING REQUEST (RZ 05-02)

a. Public Hearing – Rezoning Request (RZ 05-02) – Beth Wilson

Receive public comment regarding a request to amend the Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, changing the zoning classification of ‘A-O’ Agricultural Open to ‘MU-1’ Mixed Use Residential for a .52 acre tract located at 803 Suncrest, of the Stephen F. Austin No. 9 Survey, A-62, Bryan, Brazos County, Texas.

b. First Reading of an Ordinance – Rezoning Request (RZ 05-02) – Beth Wilson

First reading of an ordinance of the City of Bryan, Texas, amending the Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, changing the zoning classification of ‘A-O’ Agricultural Open to ‘MU-1’ Mixed Use Residential for a .52 acre tract located at 803 Suncrest, of the Stephen F. Austin No. 9 Survey, A-62, Bryan, Brazos County, Texas.

8. CONSENT (AUTOMATIC APPROVAL) AGENDA

This agenda consists of ministerial or “housekeeping” items required by law. Items may be removed from the consent agenda by majority vote of the Council.

a. Approval of Minutes – Workshop and Regular meetings of May10, 2005.

b. Consideration – Reject Water/Wastewater Construction and Repair Materials Bid – Kelly Wellman

Consider rejection of all bids received for Section 05500 (Tees/Wyes/Sleeves) of the price agreements for water/wastewater construction and repair materials. Estimates for Section 05500 were \$45,000 for a six month period. ([Bid Tabulation](#))

c. Consideration – Water/Wastewater Construction and Repair Materials – Kelly Wellman

Consider award of three separate price agreements for water/wastewater construction and repair materials to ACT Pipe and Supply of Bryan, Texas, in an amount not to exceed \$45,000. These three separate contracts include Section 09500, Hydrants - \$10,000, Section 10500, Manholes and Vaults - \$25,000 and Section 12500, Miscellaneous Supplies - \$10,000. Source of Funds: Various Public Works Water Accounts and Water Warehouse Fund. ([Bid Tabulation](#))

d. Consideration – Water/Wastewater Construction and Repair Materials – Kelly Wellman

Consider award of four separate price agreements for water/wastewater construction and repair materials to Ferguson Waterworks of Houston, Texas, for an amount not to exceed \$125,000. These four separate contracts include Section 03500, Valves - \$45,000, Section 04500, Bends - \$45,000, Section 06500, Adapters/Reducers - \$25,000 and Section 13500, Non Shear Couplings and Flex Saddles - \$10,000. Source of Funds: Various Public Works Water Accounts and Water Warehouse Fund. ([Bid Tabulation](#))

e. Consideration – Annual Agreement for Sulfur Dioxide – Kelly Wellman

Consider award of annual price agreement for sulfur dioxide with DXI Industries of Houston, Texas, in the amount of \$58,380. Source of Funds: Water Services Operating Budget. ([Bid Tabulation](#))

f. Consideration – Annual Contract for Liquid Chlorine – Kelly Wellman

Consider award of an annual contract for liquid chlorine with DXI Industries, Inc., of Houston, Texas, in the amount of \$109,000 based on estimated quantities. Source of Funds: Wastewater Treatment Enterprise Fund and Water Production Enterprise Fund. ([Bid Tabulation](#))

g. Consideration – Renewal of Office Supply Contract – Roger Dempsey

Consider approval to continue the City's participation in a cooperative purchasing agreement between Texas A&M University and OfficeMax (formerly Boise Office Solutions) for the purchase of office supplies by all City departments for an additional one-year term with an estimated annual expenditure of \$135,000. Source of Funds: Multiple General Fund Office Supply Accounts. ([Boise Agreement Letter](#)) ([Office Supply Agreement](#))

h. Consideration – Amendment Number One – Carters Creek Floodplain Study – Linda Huff

Consider approving amendment number one to the engineering contract for the Carters Creek Floodplain Study with Mitchell and Morgan, LLP, in the amount of \$32,000. Source of Funds: Drainage Utility Fee Fund.

i. Consideration – Neighborhood Association Partnership Agreement – Briarcrest North West Homeowners Association – Ronnie Jackson

Consider approving a neighborhood association partnership agreement between the City of Bryan and the Briarcrest North West Homeowners Association recognizing Briarcrest North West Homeowners Association as a neighborhood association registered with the City of Bryan in accordance with Resolution Number 2811.

j. Consideration – Temporary Name Change of Texas Avenue to Sister Gretchen Kunz Parkway for One Day – Mary Kaye Moore

Consider approving a request to temporarily change the name of Texas Avenue to Sister Gretchen Kunz Parkway for one day. Sister Gretchen Kunz, a long time leader of St. Joseph Health System in Bryan, will step out of her role as President and CEO. In honor of her spirit and determination, the members and leadership of the St. Joseph Health System request a temporary name change for Texas Avenue to Sister Gretchen Kunz Parkway for the day of June 13, 2005. They have obtained Texas Department of Transportation approval and have also made the request to the City of College Station. Only one sign is planned at the corner of Texas Avenue and William Joel Bryan. The cost of the sign installation and removal for the day would be paid by the St. Joseph Health System. ([Letter of Request](#))

k. Second and Final Reading of an Ordinance – Drought Contingency Plan – Lawrence Carter

Second and final reading of an ordinance of the City of Bryan, Texas, amending Ordinance No. 1362, adopted on August 13, 2002, at its second reading, adopting a new City of Bryan Drought Contingency Plan; establishing criteria for the initiation and termination of drought response stages; establishing restrictions on certain water uses; establishing penalties for the violation of and provisions for enforcement of these restrictions; establishing procedures for granting variances.

9. STATUTORY AGENDA

This agenda consists of items previously approved by Council action, such as adoption of items that are part of an approved budget or capital improvements project, first readings of ordinances, or action which is required by law or delegated to the City Manager. Items may be removed from the statutory agenda at the request of two Councilmembers.

a. Consideration – West Transmission Main, Phase 2-A Project – Paul Kaspar

Consider awarding a construction contract to Texcon General Contractors in an amount not to exceed \$887,227 for the West Transmission Main, Phase 2-A project. Source of Funds: 2004 Water Revenue Bond Proceeds.

b. Resolution – Downtown Improvement Program Revision – Katy Blanchard

Adoption of a resolution of the City Council of the City of Bryan, Texas, amending Resolution No. 2770 adopted on July 24, 2001, by amending the boundaries of the downtown area for the purpose of the Downtown Façade Improvements Matching Grants Program. Source of Funds: The remaining unencumbered funds for the Fiscal Year 2005 program are \$286,550.

c. First Reading of an Ordinance – Fiscal Year 2005 Budget Amendment – Kathy Davidson

First reading of an ordinance of the City of Bryan, Texas, amending Ordinance No. 1524; decreasing budget appropriations for Fiscal Year 2005, from \$230,682,840 to \$230,635,442; decreasing appropriations in the amount of \$47,398. Source of Funds: General Fund Unreserved Fund Balance.

10. REGULAR AGENDA

This portion of the agenda consists of items requiring individual consideration by the Council.

a. Consideration – Appointment to The Research Valley Partnership Board – Mayor Wentrek

Consider the appointment of one individual to a three-year term on The Research Valley Partnership Board of Directors.

b. Consideration – Appointment to Brazos County Public Health Board – Mayor Wentrek

Consider the appointment of one individual to a two-year term on the Brazos County Public Health Board beginning on June 1, 2005.

11. CITY MANAGER'S REPORT AND COUNCIL CONCERNS

Staff recognition, upcoming meetings and events, reports on attendance at meetings and events, future Council agenda items, and update on current capital improvement, development and redevelopment projects.

12 ADJOURN

FOR INFORMATION ON SIGN LANGUAGE INTERPRETATION, TDD OR OTHER TRANSLATION OR ACCESSIBILITY INFORMATION, PLEASE CONTACT THE PUBLIC INFORMATION OFFICER AT 209-5120. PLEASE TRY TO CONTACT THE ABOVE PERSON AT LEAST 48 HOURS BEFORE THE SCHEDULED TIME OF THE MEETING SO THAT YOUR REQUEST MAY BE ACCOMMODATED.